

INTERVENTION
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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

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ARIZONA CORPORATION COMMISSION
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IN THE MATTER OF THE CONSIDERATION,
PURSUANT TO A.R.S. § 40-252, TO MODIFY
DECISION NO. 67744 RELATING TO THE SELF-
BUILD OPTION.

Docket No. E-01345A-07-0420

MOTION TO INTERVENE

Pursuant to A.A.C. R14-3-105, the Arizona Investment Council ("AIC") applies to the Commission for an Order granting it leave to intervene in this proceeding. In support of its Motion, AIC states:

1. AIC's missions include the promotion of policies which encourage utility investment and infrastructure development in Arizona as well as representation of the interests of debt and equity investors in Arizona utilities, including its electric utility providers. AIC's nearly 7,000 members include individuals who hold stock or debt instruments in these utilities.

2. This docket involves the Commission's decision to consider modifying Decision No. 67744 dated April 7, 2005 relating to the self-build option for Arizona Public Service. AIC's members will be directly and substantially affected by the Commission's decision on these matters.

3. Until today, the AIC did not know of the July 13, 2007 Procedural Order which established an intervention deadline of August 31, 2007. Although that Procedural Order indicates a copy was mailed to AIC's President, AIC has no record of having received it and a copy was not mailed to AIC's counsel. Because AIC was unaware of the deadline, it asks that its

1 intervention be granted and submits that no party will be prejudiced as a result. The procedural
2 schedule proposed by APS in its September 10, 2007 Request for Procedural Order is acceptable
3 to AIC.

4 4. No other party can adequately represent the interests of AIC's members in this
5 Docket. Its participation will not unduly broaden the issues presented.

6 5. Service of all correspondence, pleadings and other documents should be made to
7 the following:

8 Michael M. Grant
9 Gallagher & Kennedy, P.A.
2575 East Camelback Road
Phoenix, Arizona 85016-9225
10 Email: mmg@gknet.com


11 with copy to:

12 Gary Yaquinto, President & CEO
13 Arizona Investment Council
2100 North Central Avenue, Suite 210
Phoenix, Arizona 85004
14 Email: gyaquinto@arizonaic.org

15 WHEREFORE, AIC requests that the Administrative Law Judge issue an order granting
16 its Motion to Intervene.

17 RESPECTFULLY SUBMITTED this 25th day of September, 2007.

18 GALLAGHER & KENNEDY, P.A.

19
20 By 
21 Michael M. Grant
2575 East Camelback Road
22 Phoenix, Arizona 85016-9225
Attorneys for Arizona Investment Council
23
24

1 **Original and 13 copies** filed this
25th day of September, 2007, with:

2 Docket Control
3 Arizona Corporation Commission
1200 West Washington
4 Phoenix, Arizona 85007

5 **Copy** of the foregoing delivered this
25th day of September, 2007, to:

6 Lyn A. Farmer
7 Chief Administrative Law Judge
Hearing Division
8 Arizona Corporation Commission
1200 West Washington
9 Phoenix, Arizona 85007

10 **Copies** of the foregoing mailed this
25th day of September, 2007, to:

11 Christopher Kempley
12 Chief Counsel, Legal Division
Arizona Corporation Commission
13 1200 West Washington
Phoenix, Arizona 85007

14 Lawrence V. Robertson, Jr.
15 Theodore Roberts
P.O. Box 1448
16 Tubac, Arizona 85646

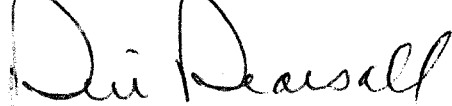
17 Timothy M. Hogan
Arizona Center for Law in the Public Interest
18 202 East McDowell Road, Suite 153
Phoenix, Arizona 85004

19 Jeff Schlegel
20 Southwestern Energy Efficiency Project
1167 West Samalayuca Drive
21 Tucson, Arizona 85704-3224

- 1 C. Webb Crockett
Patrick Black
- 2 Fennemore Craig, P.C.
3003 North Central Avenue, Suite 2600
3 Phoenix, Arizona 85012
- 4 Scott S. Wakefield
Chief Counsel
- 5 Residential Utility Consumer Office
1110 West Washington, Suite 200
6 Phoenix, Arizona 85007
- 7 David Berry
Western Resource Advocates
- 8 P.O. Box 1064
Scottsdale, Arizona 85252-1064
- 9 Steven Michel
- 10 Western Resource Advocates
2260 Baseline Road, Suite 200
11 Boulder, Colorado 83002
- 12 Kenneth R. Saline
K.R. Saline & Associates
- 13 160 North Pasadena, Suite 101
Mesa, Arizona 85201-6764
- 14 Greg Patterson
- 15 13358 East Del Timbre
Scottsdale, Arizona 85259
- 16 Michael W. Patten
- 17 J. Matthew Derstine
Roshka DeWulf & Patten, PLC
- 18 400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004
- 19 Michelle Livengood
- 20 Tucson Electric Power Company
One South Church Street, Suite 200
21 Tucson, Arizona 85702
- 22
- 23
- 24

1 Michael A. Curtis
William P. Sullivan
2 Larry K. Udall
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
3 501 East Thomas Road
Phoenix, Arizona 85012-3205
4
Daniel A. Musgrove
5 c/o Universal Entech, L.L.C.
3330 West Broadway Road
6 Phoenix, Arizona 85041-1808
7 Douglas V. Fant
Law Offices of Douglas V. Fant
8 3655 West Anthem Way
Suite A-109, PMB 411
9 Anthem, Arizona 85086
10 Jay I. Moyes
Moyes Storey Ltd.
11 1850 North Central Avenue, Suite 1100
Phoenix, Arizona 85004
12
Joseph M. Paul
13 Senior Corporate Counsel
Dynergy
14 4140 Dublin Boulevard, Suite 100
Dublin, California 94568
15
Deborah R. Scott
16 Thomas L. Mumaw
Pinnacle West Capital Corporation
17 400 North 5th Street
P.O. Box 53999, MS 8695
18 Phoenix, Arizona 85072-3999
19 Patrick Dinkel
Director of Planning & Resource Acquisition
20 Arizona Public Service Company
400 North 5th Street
21 P.O. Box 53999, MS 9674
Phoenix, Arizona 85072-3999
22
23
24

1 Barbara Klemstine
Director of Regulatory Affairs
2 Arizona Public Service Company
400 North 5th Street
3 P.O. Box 53999, MS 9708
Phoenix, Arizona 85072-3999

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